

248. Cinnamon Hot Tooth Picks. (F.D.C. No. 49056. S. No. 64-003 V.)

QUANTITY: 737 ctns., each containing 24 12-unit pkgs., at Long Beach, Calif.

SHIPPED: 6-4-62 and 6-15-62, from Independence, Kans., by Baden's.

LABEL IN PART: (Pkg.) "Cinnamon Hot Tooth Picks Manufactured by Baden's Independence, Kansas Imitation Flavor."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 20.4 percent oil of cinnamon or 18.2 percent cinnamaldehyde (cinnamic aldehyde).

LIBELED: 7-25-63, S. Dist. Calif.

CHARGE: 601(a)—when shipped, the article contained an added poisonous or deleterious substance, namely, oil of cinnamon or cinnamaldehyde, which may render it injurious to users under customary or usual conditions of use.

DISPOSITION: 8-28-63. Default—destruction.

249. Cinnamon Hot Tooth Picks. (F.D.C. No. 49080. S. No. 20-878 V.)

QUANTITY: 4 cases, each containing 2,304 12-unit pkgs., at Dallas, Tex.

SHIPPED: 4-9-63 and 4-24-63, from Independence, Kans., by Baden's.

LABEL IN PART: (Pkg.) "Cinnamon Hot Tooth Picks Manufactured by Baden's Independence, Kansas Imitation Flavor."

LIBELED: 6-12-63, N. Dist. Tex.

CHARGE: 601(a)—when shipped, the article contained an added poisonous or deleterious substance, namely, oil of cinnamon or cinnamic aldehyde, which might render it injurious to users under customary or usual conditions of use.

DISPOSITION: 8-6-63. Default—destruction.

250. Cinnamon Hot Tooth Picks. (F.D.C. No. 48865. S. No. 60-443 V.)

QUANTITY: 100 ctns., each containing 24 12-unit pkgs., at Fort Worth, Tex.

SHIPPED: 10-29-62, from Independence, Kans., by Baden's.

LABEL IN PART: (Pkg.) "12 Cinnamon Hot Toothpicks Manufactured by Baden's Independence, Kansas Imitation Flavor."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 20 percent oil of cinnamon or approximately 22 percent cinnamic aldehyde (cinnamaldehyde).

LIBELED: 5-21-63, N. Dist. Tex.

CHARGE: 601(a)—when shipped, the article contained an added poisonous or deleterious substance, namely, oil of cinnamon or cinnamic aldehyde, which may render it injurious to users under customary or usual conditions of use.

DISPOSITION: 8-3-63. Default—destruction.

251. Cinnamon Hot Tooth Picks. (F.D.C. No. 47753. S. No. 64-728 T.)

QUANTITY: 14 cases of 96 display-type ctns., each containing 24 12-unit pkgs., at Vernon, Calif.

SHIPPED: 6-15-62, from Independence, Kans., by Baden's.

LABEL IN PART: (Pkg.) "Cinnamon Hot Tooth Picks Manufactured by Baden's Independence, Kansas Imitation Flavor."

RESULTS OF INVESTIGATION: Examination showed that the article contained oil of cinnamon or cinnamic aldehyde (cinnamaldehyde).

LIBELED: 7-2-62, S. Dist. Calif.

CHARGE: 601(a)—when shipped, the article contained an added poisonous or deleterious substance, namely, oil of cinnamon or cinnamic aldehyde, which may render it injurious to users under customary or usual conditions of use.

DISPOSITION: On 9-10-62, August T. Baden claimed the article; denied that it was a cosmetic; denied that it was adulterated; admitted that there was added a small fraction of a drop of oil of cinnamon or cinnamic aldehyde; and denied that the article was in any way injurious to users or others.

On 12-14-62, the Government served written interrogatories on the defendants. On 10-29-63, by a stipulation withdrawing the claimant's answer and claim, a default decree of condemnation and destruction was filed.

COSMETICS ACTIONABLE BECAUSE OF INSANITARY CONDITIONS

252. Various cosmetics. (F.D.C. No. 49559. S. No. 34-660 X.)

QUANTITY: 50 bushel baskets containing various cosmetics, such as pressurized 7-oz. cans of hair spray, at Minneapolis, Minn., in possession of C. G. Urness, t/a World Salvage.

SHIPPED: Prior to 12-4-64, by unknown shippers, from outside the State of Minnesota.

RESULTS OF INVESTIGATION: Investigation showed that various foods, drugs, and cosmetics were subject to fire damage on or about 12-6-61, and that they had been held in basement storage at a retail drug store in Minneapolis, prior to receipt by the dealer. The containers were either unlabeled or bore labels damaged by fire, smoke, or water, and the cans were rusted and contaminated with dirt and debris.

The foods and drugs were also libeled, as is reported in notices of judgment on foods, No. 29500, and in notices of judgment on drugs and devices, No. 7750.

The articles were being held for sale by the dealer.

LIBELED: 12-9-63, Dist. Minn.

CHARGE: 601(c)—while held for sale, the articles had been held under insanitary conditions; 602(b)(1)—the articles failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and 602(b)(2)—the articles failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: 12-24-63. Consent—destruction.

COSMETICS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

253. Hair dressing. (F.D.C. No. 47187. S. No. 55-804 T.)

QUANTITY: 23 cases, each containing 12 15-oz. btls., at New York, N.Y.

SHIPPED: 12-14-61, from Philadelphia, Pa., by Francis Anthony Agresti, t/a Robin Sales Co., New York, N.Y.

*See also No. 245.